

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on July 30, 2003. Reconsideration and withdrawal of the rejections of the claims, in view of the amendments and remarks presented herein, is respectfully requested. Claims 1 and 24 are amended and claims 2-23 and 25-31 are canceled, without prejudice or disclaimer, and Applicant reserves the right to reintroduce them in a continuation application at a later date. Thus, claims 1, 24 and 32-40 are now pending in this application.

The Examiner noted that claims 23-24 and 32-40 are allowed. For the Examiner's convenience, it is pointed out that the subject matter of claim 23 has been incorporated in claim 1 and claim 24 has been amended to depend from claim 1.

Information Disclosure Statement

Applicant submitted a Supplemental Information Disclosure Statement and a 1449 Form on August 14, 2003 (a copy of which is enclosed herewith). Applicant respectfully requests that an initialed copy of the 1449 Form be returned to Applicants' Representatives in the next Official Communication to indicate that the cited references have been considered by the Examiner.

The 35 U.S.C. § 102(b) Rejections

The Examiner rejected claims 1-4, 6-9, 13-17, and 20-21 under 35 U.S.C. § 102(b), as being anticipated by Falk et al. (U.S. 5,985,850). The Examiner also rejected claims 1 and 10 under 35 U.S.C. § 102(b) as being anticipated by Falk et al. (U.S. 5,792,753). The Examiner rejected claims 22 and 25 under 35 U.S.C. § 102(b) as being anticipated by Illum (U.S. 5,744,166). The Examiner also rejected claims 18-19 under 35 U.S.C. § 102(b) as being anticipated by Fluoren (WO 97/14310). The Examiner rejected claims 27-31 under 35 U.S.C. § 102(b) as being anticipated by Schmidl (U.S. 5,438,042). The amendments to claim 1 and the cancellation of claims 2-4, 6-10, 13-19, 20-22, 25 and 27-31 render the Examiner's rejections moot. Thus, Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 102(b) rejections of the claims.

The 35 U.S.C. § 103(a) Rejections

The Examiner rejected claims 1, 4-5, 8 and 11-12 under 35 U.S.C. § 103(a) as being unpatentable over Falk et al. (U.S. 5,985,850). The Examiner also rejected claim 26 under 35 U.S.C. § 103(a) as being unpatentable over Illum (U.S. 5,744,166). The Examiner rejected claims 1-3, 8-9, 13-16 and 20-21 under 35 U.S.C. § 103(a) as being unpatentable over Culliford et al. The amendments to claim 1 and the cancellation of claims 2-5, 8-9 and 11-16, 20-21 and 26 render the Examiner's rejections moot. Thus, Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 103(a) rejections of the claims.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative ((612) 373-6905) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

ROBERT G. PETIT ET AL.

By their Representatives,

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Date Oct. 29, 2003

By Monique M. Perdok
Monique M. Perdok
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 30th day of October, 2003.

Dawn M. Poole

Name

Dawn M. Poole

Signature